EXHIBIT ____

Return Address:

City Clerk

City of Bremerton 239 Fourth Street Bremerton, WA 98337

 BREMERTON CITY OF 201003240073
 201003240073

 Easement Rec Fee: \$ 66.00
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 03/24/2010 01:33 PM Witsap Co Auditor
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AUDITOR/RECORDER'S INDEXING FORM

Document Title(s): 1. Utility Easement			
Reference Number(s) of Documents assigned or rel	eased: N/A		
Grantor(s): 1. Hsiao-Ming Ho Additional names on page	of document.	EXCISE TAX EXEMPT HAR 2	201 (
Grantee(s): 1. The City of Bremerton	- LCOADIN	The second control of	
Additional names on page	of document.		
Legal Description: Ptn Gov't Lot 1 S32 T24N R (abbreviated)	1E, W.M. Kitsap	County, WA	
X Additional legal is on page Exhibit A	of document.		
Assessor's Property Tax Parcel/Account Number:	322401-1-	092-2006	
Project Name:			

UTILITY EASEMENT

(Individual)

THIS INSTRUMENT made this \(\frac{1}{2} \) day of March, 2010, by and between Hsiao-Ming Ho, in Trust for the Sesko Family Trust (hereinafter "Grantor") and the CITY OF BREMERTON, a Washington municipal corporation of Kitsap County, State of Washington (hereinafter "Grantee").

WITNESSETH that Grantor for and in consideration of mutual benefits derived and/or other valuable consideration, receipt of which is hereby acknowledged by Grantor, do by these presents grant, bargain, sell, convey, and confirm forever unto Grantee, its successors and/or assigns, a utility easement for municipal sewer lines, along with those necessary appurtenances, including, but not limited to, the three vaults installed in 2008-2009, provided that the Grantee restricts any future appurtenances to a height no greater than the lesser of (a) six inches above grade at installation or (b) two inches above the immediately surrounding pavement (collectively referred to as the "Utilities"), over, through, across and upon the following described property situated in Kitsap County,

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Washington, more particularly described in Exhibit A (legal description) and depicted on Exhibit B (Record of Survey).

Grantee shall have the right, without prior institution of suit or proceeding at law, at times as may be necessary, to enter upon the above-referenced property with the necessary equipment for the purposes of altering, installing, operating, maintaining, extending, constructing, repairing, and reconstructing the Utilities without incurring any legal obligation or liability; PROVIDED, however, that neither Grantor's property, the private improvements existing within this easement area, nor the immediately adjacent incidental areas shall be disturbed, destroyed or otherwise damaged, and in the event they are disturbed, destroyed or damaged, they will be repaired and/or replaced in as good a condition as they were immediately before the properties were entered upon by the Grantee, its employees, agents, contractors, or subcontractors.

Grantor shall retain the right to use the surface of this easement, so long as that use is not inconsistent with and does not interfere with rights and uses granted to Grantee described in this document. Under no circumstances shall Grantor place any cement, concrete, structure or any other objects on the property described in the easement that would interfere with Grantee's use of the easement and access to the Utilities; Provided that Grantor is permitted to pave the surface of the easement as long as the pavement does not cover the vaults or in any way interfere with the Grantee's use of the vaults.

This easement shall be a covenant running with the land, and shall bind Grantor's successors and assigns and all future owners of the real property affected by this easement.

GRANTOR:

Hsiao-Ming H6

DATE: 63/(8//0)

(Notary Acknowledgment Appears on Next Page)

STATE OF WASHINGTON)
) ss.
COUNTY OF KITSAP)

On this \(\frac{1\mathbb{N}}{\text{-1}} \) day of March, 2010, before me a Notary Public in and for the State of Washington, personally appeared Hsiao-Ming Ho, in Trust for the Sesko Family Trust to me known to be the individual(s) that executed the foregoing instrument, and acknowledged it to be the free and voluntary act, for the uses and purposes mentioned in this instrument, and on oath stated that he/she/they were authorized to execute said instrument.

-No	otary Seal Must Appear Within This Box-
in witness whereoffirst above written.	NOTARY PUBLIC, in and for the State of Washington, residing at Ayallap, WA My appointment expires

APPROVED AS TO FORM:

ROGER A. LUBOVICH

City Attorney

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EXHIBIT A

Property Description

THAT PORTION OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 24 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE EAST RIGHT-OF-WAY MARGIN OF WEST SHERMAN HEIGHTS ROAD (COUNTY ROAD 154) INTERSECTS THE NORTH RIGHT-OF-WAY MARGIN OF STATE HIGHWAY SR 3 (FORMERLY P.S.H. NO. 21); THENCE NORTHEASTERLY ALONG SAID MARGIN 300 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY MARGIN OF THE U.S. NAVY RAILROAD; THENCE WESTERLY ALONG SAID MARGIN 175 FEET, MORE OR LESS, TO THE EAST MARGIN OF WEST SHERMAN HEIGHTS ROAD; THENCE SOUTHERLY ALONG SAID MARGIN 210 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON UNDER AUDITOR'S FILE NO. 8601290053.

Easement Description

An easement upon, over, under and across a portion of Government Lot 1 of Section 32, Township 24 North, Range 1 East of the Willamette Meridian, in Kitsap County, Washington, lying easterly of the following described line:

Commencing at the intersection of the northwesterly margin of State Route 3 and the southerly margin of the U.S. Navy Railroad, being grantor's northeast corner; thence S 47°09'45" W along said northwesterly margin of State Route 3, a distance of 71.87 feet to the TRUE POINT OF BEGINNING, also being a point 10 feet west of and perpendicular to an existing 10-inch sanitary sewer force main; thence S 58°23'44" W 102.67 feet parallel to and 10 foot westerly of said existing 10-inch sanitary sewer force main; thence S 47°09'45" W, 95.03 feet parallel to and 10 feet westerly of said existing 10-inch sanitary sewer force main to grantor's southwesterly property line and the terminus of this description.

